

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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TRAVANTI WEATHERSPOON,

Case No. 2:16-cv-00752-RFB-NJK

Plaintiff,

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LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT et al..

## Defendants.

## I. DISCUSSION

On April 5, 2016, Plaintiff submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 but did not submit an application to proceed *in forma pauperis* or pay the filing fee for this action. (ECF No. 1). On April 6, 2016, the Court ordered Plaintiff to file an application to proceed *in forma pauperis* or pay the full filing fee for a civil action. (ECF No. 2). On April 22, 2016, Plaintiff filed a motion to voluntarily dismiss his complaint in this Court because he wants to proceed in state court. (ECF No. 3).

Pursuant to Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants Plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has been filed in this case. As such, the Court dismisses this action without prejudice.

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1       **II. CONCLUSION**

2           For the foregoing reasons, it is ordered that the motion to voluntarily dismiss this  
3 case (ECF No. 3) is granted.

4           It is further ordered that this case is dismissed in its entirety without prejudice.

5           It is further ordered that the Clerk of the Court shall enter judgment accordingly.

7           DATED THIS 4th day of May 2016.



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9           RICHARD F. BOULWARE, II  
10           United States District Judge

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